

**ASSEMBLY BILL**

**No. 641**

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**Introduced by Assembly Member Rendon**

February 20, 2013

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An act relating to child care.

LEGISLATIVE COUNSEL'S DIGEST

AB 641, as introduced, Rendon. Child care: family child care providers: bargaining representative.

Existing law, the Child Care and Development Services Act, administered by the State Department of Education, requires the Superintendent of Public Instruction to administer child care and development programs that offer a full range of services for eligible children from infancy to 13 years of age.

This bill would state that the Legislature finds and declares, among other things, that it is necessary to enact legislation that would grant family child care providers the right to choose a representative to negotiate collectively with the state over the operation of the child care system.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Quality, affordable child care is essential to prepare
- 4 California's children to succeed in school and in life and to allow

1 families to work and contribute to the state's economy with the  
2 assurance that their children are safe and well cared for.

3 (b) There is a need to improve the quality of child care and to  
4 reduce turnover in the industry that is charged with providing safe  
5 and quality care for children in California. Limited or no  
6 employment benefits and low wages can drive dedicated child care  
7 providers from the profession. The resulting turnover negatively  
8 impacts the quality of child care provided and prevents children  
9 from receiving the type of care they require in order to be prepared  
10 for, and adapt successfully to, school settings.

11 (c) Turnover among family child care providers is estimated at  
12 30 to 40 percent per year, five times higher than among teachers  
13 in the public school system. Experienced family child care  
14 providers are leaving the profession simply because they cannot  
15 afford to provide for their own families. Losing a caregiver means  
16 children's cognitive and social development is disrupted and  
17 parents are left scrambling to find other arrangements.

18 (d) The supply of quality child care in the market is inadequate  
19 to meet the demand in California. In 2010, the state lost nearly  
20 5,700 licensed child care providers, representing a 13-percent  
21 decline in the supply of licensed child care and an elimination of  
22 11 percent of, or 44,000, licensed slots in these homes. In 2009,  
23 there was only licensed capacity to care for 27 percent of children  
24 with working parents.

25 (e) Family child care is affordable and convenient; it is  
26 particularly vital to parents of infants and the one-in-five California  
27 workers who work nontraditional schedules.

28 (f) Family child care providers are a vital part of the child care  
29 system. Their role gives them unique insight into how quality,  
30 access, and stability could be improved for children and families.  
31 But family child care providers lack any formal voice in  
32 decisionmaking on issues that shape the child care system and the  
33 way they carry out their profession.

34 (g) To promote higher quality and greater access and stability  
35 in the child care system, it is necessary to enact legislation that  
36 would grant family child care providers the right to choose a  
37 representative to negotiate collectively with the state over the  
38 operation of the child care system. Permitting family child care  
39 providers a formal voice will allow the state to get input from  
40 family child care providers and to maximize its return on its

- 1 investment in child care and will allow family child care providers
- 2 to advocate to improve the quality, access, and stability of care
- 3 available to California's children and families.

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